

A-G79 @G B9CI G'H9LH'fl 97 : cfa ' - - L

PAGE 1 / 1

REFERENCE: Amended Statement of Organization, Received 11/03/2015

This responds to your letter dated November 16, 2015 based upon the Federal Election Commission's (the "FEC") preliminary review of the Amended Statement of Organization, Received 11/03/2015, of the National Draft Ben Carson for President Committee (the "NDBCPC").

As of the date that Dr. Carson announced for the Presidency, NDBCPC ceased public operations under that name. Anticipating Dr. Carson's announcement, NDBCPC had incorporated and had filed with the FEC a new committee -- The 2016

Committee. The 2016 Committee was identified as being affiliated with NDBCPC. As of that date, NDBCPC initiated no new advertisements, solicitations or public activities. NDBCPC transferred funds to The 2016 Committee. It also changed over its website. NDBCPC began winding down, only depositing checks that were in the mail, and paying bills associated with its prior activities. NDBCPC did not change its name at that time, being concerned that it was incorporated, and that would require filing articles of amendment, which, in turn, would complicate matters with its bank accounts, for example. NDBCPC's legal counsel has discussed with you that NDBCPC has operated on the belief that, since NDBCPC became

non-operational and the name was not used in public, and NDBCPC had begun the process of terminating, this was fully consistent with the regulations regarding non-use of a candidate's name. We could find no express FEC guidance on the question, which led to our attorneys contacting you for your views. Recently, you informed our attorneys that NDBCPC would be required to change its name, even though it is in the process of terminating. NDBCPC is working on that, and plans to file an amended Statement of Organization as soon as the name change is effective.
